



INDEPENDENT CATTLEMEN'S ASSOCIATION OF TEXAS, INC.

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Country of Origin Labeling Program
Agricultural Marketing Service
USDA STOP 0249
1400 Independence Ave. SW
Washington, D.C. 20250-0249

RE: Notice of Request for Emergency Approval of New Information Collection

Dear Sirs:

The purpose of this letter is to inform the United States Department of Agriculture (USDA) of the official position of the Independent Cattlemen's Association of Texas (ICA) regarding the implementation of mandatory country of origin labeling (COOL). Our cow/calf producer organization played an active role in the pursuit of this measure and has a keen interest in making sure the intent of the prevailing side is carried out.

We believe that the first thing that should be noted about COOL is what it is not. The law specifically states that there will not be a national identification plan associated with the COOL program. Despite this specific language, there seems to be a push for just such a national ID program by some parties. COOL is intended to label products covered by the law as to their country of origin, not their farm, orchard, or ranch of origin. Simply put, Mexican or Canadian beef would be labeled as coming from Mexico or Canada respectively and U.S. beef would be labeled as coming from the United States.

Our Association advocates that USDA use a more economical and common sense approach to implement COOL. The only cattle that need tracking are those that are imported. Therefore, the tracking of or, if you wish, the paper trail should begin with those individuals, companies, or corporations that import cattle. Only a minority in the U.S. cattle industry actually imports cattle and the cattle that they import are identified by unique brands and tags when they enter. The emphasis should be made in following through with this initial identification rather than saddling all U.S. cattle producers with an expensive and onerous system that ignores the obvious and violates the language of the law. The intent of the COOL law is to add value to U.S. produced beef, to reward U.S. producers for producing the safest and best beef in the world, not to add more to their cost of production.

The USDA has proposed that the record keeping system envisioned by COOL consist of a detailed audit system. The ICA does not believe that this assumption is supported by the law. We believe that each producer, whether a domestic producer or an importer should be allowed to sign an affidavit declaring his or her animals to be of U.S. origin or state the origin if not of U.S. origin. This simple self-certification operating system would begin at the producer level and would thus initiate the "beginning point" of tracking country of origin.

We are also compelled to question the validity of some of the figures used by USDA in its cost analysis of COOL. First of all, to assume, as USDA has, that all two million U.S. producers raise commodities covered by COOL is to grossly inflate the cost of COOL. It is also unfair to saddle COOL with the cost of a national ID program when it is expressly forbidden by the law itself. Furthermore, the integrity of USDA's report is further damaged by the assumption that our industry currently has no tracking systems in place. It is common knowledge in our industry that the feedlot and retail sectors already have tracking capabilities using today's technology. We encourage USDA to review its COOL cost estimates and revise them downward by using technology already in place, using a more realistic number of producers in the equation, and eliminating the proposed national ID system that is specifically prohibited by the Congressional law authorizing COOL.

We do not believe that COOL guidelines should focus on intricate, unenforceable details, but rather on workable, economical, common sense solutions that will benefit the entire industry. For example, the law authorizing COOL mandates labeling hamburger meat as to its country or countries of origin, but does not mandate labeling as to the percentage of beef from each country of origin. The only mandate in this area is that to be labeled a product of the U.S., one hundred per cent of the beef in a package of hamburger meat must be from animals born, raised, and processed in the United States. Furthermore, to accomplish the intent of the COOL Law that proponents fought for in the farm bill debate, we urge you to use existing mechanisms for tracking meats through the system. It is counterproductive and an economic burden to the industry to do otherwise. As we stated before, the object of this law is to add value to beef produced in the United States, not to create implementation guidelines that add unneeded cost and unnecessary, burdensome paperwork. We appreciate you taking the time to evaluate our comments and we encourage you to contact us at our state office if further clarification is required concerning mandatory Country of Origin Labeling.

Sincerely,



Shane R. Sklar
Executive Director